

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT
★ MAY 18 2005 ★

3M COMPANY

Plaintiff,

v.

ASMAD SARGURH
d/b/a CLASSIC 99¢ STORE

Defendant.

P.M. _____
TIME A.M. _____

CV 05 2351

Ross, J.

Gold, M.J.

**[PROPOSED] ORDER
DISSOLVING BOND**

WHEREAS Plaintiff 3M Company ("3M") filed its Complaint on May 16, 2005 against Defendant Asmad Sargurh d/b/a Classic 99¢ Store ("Defendant"); and

WHEREAS Plaintiff sought an *Ex Parte* Seizure Order and Temporary Restraining Order, and a Preliminary Injunction against Defendant; and

WHEREAS the Court issued a Temporary Restraining Order and Order to Show Cause for a Preliminary Injunction on May 17, 2005 and Plaintiff served Defendant with a copy of the Court's Order on the same date; and

WHEREAS the May 17, 2005 Order required Plaintiff to post security "in the amount of \$1,000, for the payment of such costs and damages as may be incurred or suffered by Defendant if Defendant is found to have been wrongfully restrained"; and

WHEREAS Plaintiff, by its counsel, filed a bond in the amount of \$1,000 with the Clerk of Court on May 17, 2005 and served Defendant with Notice of Filing Bond on the same date; and

WHEREAS Defendant consented to the issuance of a Consent Judgment and Permanent Injunction on May 18, 2005, and the Court "So-Ordered" the Judgment on May 24, 2005; and

WHEREAS Defendant was not wrongfully restrained and is not entitled to costs or damages;

IT IS HEREBY ORDERED that the requirement for a bond as set forth in the Court's May 17, 2005 Order is dissolved; and it is further

ORDERED that the Clerk of Court shall issue a check in the amount of \$1,000 to Fish & Richardson P.C., attorneys for Plaintiff.

United States District Judge

Dated: Brooklyn, New York

May 2, 2005

[Signature]